IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

RP.No. 1001 of 2006()

AGAINST THE JUDGEMENT/ORDER IN SA.172/2001 Dated 18/08/2006
AS.10/1997 of SUB COURT, PALA

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Review Petitioners/2nd respondent & third party:

1.Siby Thomas, S/o. Thomas, Uzhuthuval House, Thidanadu kara Kondoor Viallage, Meenachil Taluk.

2. Thomas, aged 65, S/o. Thomas, Nediyapalayil, Uzhuthuval, Thidanadu kara.

BY ADV. SRI.JOSE JOSEPH ARAYAKUNNEL

RESPONDENTS:

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1. Thressia, aged about 61, W/o. Mathew, Koladiyil, Kizhuvankulam kara, Puliyannoor Village.

2. Mathew @ Mathachan, aged about 64, Koladiyil House, Kezhuvankulam kara, Puliyannoor Village (died)

3. George Mathew, aged about 44, Injavallil, residing at Nediyapalayil, Thidanadu kara, Kondoor Village.

Addl. 4. Pappachan, S/o. Mathew, aged 40, Koladiyil House, Kizhuvankulam kara, Puliyannoor Village.

5. Balan, aged 38, S/o. Mathew, Koladiyil House, Kizhuvankulam kara, Puliyannoor Village.

6. Salamma, aged 36, S/o. Mathew, Koladiyil House, Kizhuvankulam kara, Puliyannoor Village.

7. Benny, aged 34, S/o. Mathew, Koladiyil House, Kizhvankulam kara, Puliyannoor Village.

8. Tomy, aged 21, S/o. Mathew, Koladiyil House, Kizhvankulam kara, Puliyannoor Village.

BY ADV. SMT.DEEPA S.NAIR
SRI.M.P.SASIKUMARAN
SRI.K.S.HARIHARAPUTHRAN
SRI.P.J.JOSEPH
SRI.A.V.TELLES
SRI.VIJO JOSE

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.Krishnan, J.

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R.P.No.1001 of 2006

in

S.A.No.172 of 2001

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Dated this the 14th day of September, 2007.

ORDER

It is submitted by the counsel for the revision petitioner that the judgment of this Court holding that the decree is passed against a dead person is not correct. This Court had disposed of the matter on that basis. So, it is a matter which requires consideration. Therefore the Review Petition is allowed and the judgment is reviewed and the Second Appeal be posted for hearing before the regular court. It may be brought to the notice of the court regarding the some urgency in the matter.

M.N.Krishnan,
Judge.

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